

Remarks

This communication is considered fully responsive to the non-final Office Action mailed July 25, 2005 (hereinafter referred to as the "Office Action"). Claims 1-28 were examined and stand rejected. Claims 1, 3, 14, and 20 are amended. No claims are canceled. No new claims are added. Reexamination and reconsideration of the claims are respectfully requested.

General Comments

The Office Actions states in paragraph 1 that claims 1-24 were presented for examination, and that claims 1, 14, and 20 are independent. However, claims 1-28 were presented for examination and claims 1, 14, 20, and 25 are independent. The Examiner addressed claims 1-28 in the Section 102 rejection. Therefore, Applicant believes this is a typographical error.

Claim Rejections - 35 U.S.C. 102(b)

The Office Action rejected claims 1-28 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,790,639 to Ranalli, et al. (hereinafter referred to as "Ranalli"). Applicant respectfully traverses this rejection.

Claim 1 is amended to recite "sending a document from a multifunction device directly to a recipient" (emphasis added). Ranalli fails to disclose at least these recitations.

Ranalli discloses an elaborate store-and-forward network for assisted delivery of fax documents. See, e.g., Abstract. Each time a user sends a fax from source fax machine 10, it is first redirected to a fax agent 28 at a source

node 20, then transferred to a fax agent 48 at a destination node 40, and then the fax agent 48 at the destination node 40 finally transfers the fax to the destination fax machine 70. See, e.g., FIG. 2. Ranalli fails to disclose sending a document directly to a recipient. Indeed, the system described by Ranalli would fail to function properly if the user bypassed the source node and destination node and sent a document directly from the source fax machine to the destination fax machine.

Claim 1 also positively recites "wherein said delivery data is used to automatically resend the document to the recipient from said remote document history repository" (emphasis added). Ranalli fails to disclose at least these recitations.

The Office Action cites to col. 6, line 62 to col. 7, line 15 as disclosing the recitations of claim 1. This citation describes how the destination fax agent 48 attempts to redeliver a document to the destination fax machine 70. However, the Office Action has relied on the file server 26 as being the remote document history repository. If the Office Action is now relying on the destination fax agent 48 as being the remote document history repository, the rejection is inconsistent and therefore improper. On the other hand, if the Office Action is still relying on the file server 26 as being the remote document history repository, this citation fails to provide support for the rejection.

For at least the foregoing reasons, claim 1 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 1.

Claims 2-13 depend from claim 1, which is believed to be allowable. Therefore, claims 2-13 are also believed to be allowable for at least the same reasons as claim 1 and withdrawal of the rejection of claims 2-13 is respectfully requested.

In addition, claim 2 positively recites "accessing said remote document history repository to track document flow" (emphasis added). The Office Action relies on Col. 6, lines 35-62 as disclosing these recitations. However, Ranalli states that if the document is successfully delivered, the "source TA 22 sends a request to the [file server] FS 26 to delete the file corresponding to the delivered document." Since the document is deleted from the file server, the file server cannot be accessed to track document flow. Therefore, this citation teaches against accessing the remote document history repository to track document flow. Claim 2 is believed to be allowable for at least these reasons.

Claim 3 is amended to recite "a multifunction device selected from the group consisting of: a multifunction peripheral, a network digital copier, an "all-in-one" device for attachment to a PC, and a network-capable scanner." The Office Action relies on the fax machine in Ranalli as disclosing the document management machine. However, document management machine is now deleted from claim 3. Accordingly, this rejection is moot.

Claim 4 positively recites "updating said remote document history repository to indicate receipt of said sent document" (emphasis added). The Office Action relies on col. 6, lines 10-15 in Ranalli as disclosing these recitations. However, this citation simply discloses transferring the fax document to the file server 26. This citation fails to teach a remote document

history repository being updated when the document is received. Claim 4 is believed to be allowable for at least these reasons.

Claim 6 positively recites "resending said document by sending said copied document from said remote document history repository" (emphasis added). The Office Action relies on col. 7, lines 15-38 in Ranalli as disclosing these recitations. This citation discloses notifying the sender if there is no alternative number to send the document to. The user may request that the document be resubmitted to the same number or an alternate number. However, there is no teaching of resending the document from the remote document history repository. Claim 6 is believed to be allowable for at least these reasons.

Claim 7 positively recites "redirecting said document by sending said copied document from said remote document history repository to another recipient" (emphasis added). The Office Action relies on FIG. 3A in Ranalli as disclosing these recitations. However, FIG. 3A is an example e-mail action report including notification of the status of the document, reasons why the document was not delivered, and options for redelivery. However, FIG. 3A fails to disclose redirecting the document by sending it from the remote document history repository. See, e.g., Col. 7, lines 47-53. Claim 7 is believed to be allowable for at least these reasons.

Claim 9 positively recites "notifying an intended recipient of said document that said copied document is available from said network site" (emphasis added). The Office Action relies on FIG. 3A in Ranalli as disclosing these recitations. However, FIG. 3A is an example e-mail action report which

is sent to the sender of the fax document, not to the intended recipient. Col. 7, line 55. Furthermore, there is no disclosure in FIG. 3A that the document is available from a network site. Claim 9 is believed to be allowable for at least these reasons.

Claim 11 positively recites "resending said document after a predetermined time based on said delivery data recorded in said remote document history repository" (emphasis added). The Office Action relies on col. 6, lines 62-67 of Ranalli as disclosing these recitations. However, this citation discloses the FTR 48 (i.e., not the file server previously relied upon as being the remote document history repository) making additional delivery attempts at regular intervals. Claim 11 is believed to be allowable for at least these reasons.

Claim 14 is amended to recite "sending an electronic document from a multifunction device directly to a recipient" (emphasis added). As discussed above for claim 1, at least these recitations are not disclosed by Ranalli.

In addition, claim 14 is amended to recite "wherein said delivery data is accessed from said remote document history repository and used to automatically redirect the document . . . if the document is not received" (emphasis added). Although Ranalli discloses redelivery by the destination fax agent, there is no discussion that the delivery data is accessed from the remote document history repository (i.e., the file server) to redirect the document.

Furthermore, claim 14 positively recites "redirect the document to another recipient from said remote document history repository." (emphasis added). Although Ranalli discloses redelivery by the destination fax agent,

there is no discussion that the document is redirected from the remote document history repository (i.e., the file server previously relied upon as being the remote document history repository).

For at least the foregoing reasons, claim 14 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 14.

Claims 15-19 depend from claim 14, which is believed to be allowable. Therefore, claims 15-19 are also believed to be allowable for at least the same reasons as claim 14 and withdrawal of the rejection of claims 15-19 is respectfully requested.

In addition, claim 15 is also believed to be allowable for at least the reasons discussed above for claim 4, claim 17 is also believed to be allowable for at least the reasons discussed above for claim 9, and claim 19 is also believed to be allowable for at least the reasons discussed above for claim 6.

Claim 20 is amended to recite "the delivery data accessed from said remote document history repository and used to automatically resend the document if the document is not received." As discussed above for claim 14, at least these recitations are not disclosed by Ranalli. Therefore, withdrawal of the rejection of claim 20 is respectfully requested.

Claims 21-24 depend from claim 20, which is believed to be allowable. Therefore, claims 21-24 are also believed to be allowable for at least the same reasons as claim 20 and withdrawal of the rejection of claims 21-24 is respectfully requested.

In addition, claim 23 positively recites "an interface for accessing said document copied to said remote document history repository." The Office Action summarily dismissed claim 23, stating that "[c]laims 14-28 are rejected for similar reasons as stated above" (i.e., the same reasons as given for claims 1-13). However, claims 1-13 do not recite an interface for accessing a document copied to the remote document history repository. Nor has the Office Action provided any further reference in Rinalli to such an interface.

The examiner has "the burden of proof . . . to produce the factual basis for its rejection of an application under sections 102 or 103." In re Piasecki, 223 U.S.P.Q. 785, 788 (Fed. Cir. 1984). Only if that burden is met, does the burden of going forward shift to the applicant. The Office Action has failed to meet this burden of proof, and therefore the rejection of claim 23 is improper.

Claim 25 positively recites "receipt service operatively associated with the multifunction device and the recipient, the receipt service tracking receipt of a document sent from the multifunction device." At least these recitations are not disclosed by Rinalli.

The Office Action summarily dismissed claim 25 "for similar reasons as stated above [i.e., claims 1-13]." However, claims 1-13 do not recite a receipt service tracking receipt of a document sent from the multifunction device. Nor has the Office Action provided any further reference in Rinalli to such a receipt service. Therefore, the Office Action has failed to meet the requisite burden of proof, and therefore the rejection of claim 25 is improper.

Claims 26-28 depend from claim 25, which is believed to be allowable. Therefore, claims 26-28 are also believed to be allowable for at least the same

reasons as claim 25. In addition, claims 26-28 each positively recite "the receipt service." As discussed above for claim 25, the Office Action has failed to meet the requisite burden of proof with regard to this recitation. Therefore, withdrawal of the rejection of claims 26-28 is respectfully requested.

Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter.

Respectfully Submitted,

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